

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

WILLIAM LEE GRANT, II,

Plaintiff,

Case No. 3:20-cv-333

vs.

JAMES A. BAKER, III, *et al.*,

Defendants.

District Judge Michael J. Newman
Magistrate Judge Sharon L. Ovington

**ORDER: (1) ADOPTING THE REPORT AND RECOMMENDATION OF THE
MAGISTRATE JUDGE (DOC. NO. 4); AND (2) TERMINATING THIS CASE ON THE
COURT’S DOCKET**

At the start of this *pro se* civil case, the undersigned was assigned as the United States Magistrate Judge. In that role, the undersigned conducted a *sua sponte* review of Plaintiff’s complaint and issued a Report and Recommendation (“R&R”), concluding that dismissal of the *pro se* complaint was warranted. Doc. No. 4. *See* 28 U.S.C. § 1915; *see also Benson v. O’Brian*, 179 F.3d 1014, 1016 (6th Cir. 1999). Plaintiff did not file any objection challenging the Report and Recommendation in the 14 days allotted for objections. *See* Fed. R. Civ. P. 72(b)(2).

Not long thereafter, the undersigned was appointed to be a United States District Judge for the Southern District of Ohio. This case was then reassigned to the undersigned in his capacity as United States District Judge.

Parties have fourteen days following issuance of a Report and Recommendation to file objections. *See* Fed. R. Civ. P. 72(b)(2). This Court “shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is

made.” 28 U.S.C. § 636(b)(1)(C). The court “may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate.” *Id.*

The Court has reviewed the magistrate judge’s Report and Recommendation and finds Plaintiff’s complaint “frivolous as duplicative of numerous other cases he has filed throughout the United States.” Doc. No. 4 at PageID 53 (citing *Hudson v. Hood*, No. 17-1455, 2018 WL 5294849, at *1 (6th Cir. Aug. 28, 2018)). Likewise, Plaintiff’s failure to object to the August 28, 2020 Report and Recommendation resulted in a waiver of the right to appeal the determination to the district court. *See United States v. Wandahsega*, 924 F.3d 868, 878 (6th Cir. 2019) (first citing *United States v. Walters*, 638 F.2d 947, 949–50 (6th Cir. 1981); and then citing *Thomas v. Arn*, 474 U.S. 140, 155 (1985)). Accordingly, the Court: (1) **ADOPTS** the Report and Recommendation of the magistrate judge (Doc. No. 4) in its entirety and (2) **TERMINATES** this case on the Court’s docket.

IT IS SO ORDERED.

September 24, 2021

/s Michael J. Newman
Hon. Michael J. Newman
United States District Judge